

SUNFLOWER CONDOMINIUM PLAN

TRACT NO. 36-91 MAMMOTH LAKES, CALIFORNIA

NOTES AND DEFINITIONS AND SHEET INDEX

1. "CONDOMINIUM" SHALL COMPRISE AN ESTATE OF INHERITANCE, OR PERPETUAL ESTATE, IN REAL PROPERTY CONSISTING OF A FRACTIONAL UNDIVIDED FEE SIMPLE INTEREST IN THOSE PORTIONS OF THE PROJECT DESIGNATED AS COMMON AREA, TOGETHER WITH A SEPERATE FEE SIMPLE INTEREST IN SPACE WITHIN ONE OF THE BUILDINGS ON SAID REAL PROPERTY, TOGETHER WITH A MEMBERSHIP IN THE SUNFLOWER HOMEOWNERS ASSOCIATION. SAID INTEREST IN SPACE SHALL CONSIST OF A UNIT AS DESCRIBED AND SHOWN ON THE CONDOMINIUM PLAN.
2. "UNIT" SHALL MEAN AND INCLUDE THE ELEMENTS OF A CONDOMINIUM NOT OWNED IN COMMON WITH THE OWNERS OF OTHER CONDOMINIUMS IN THE PROPERTY; EACH OF THE RESIDENTIAL AIR-SPACE UNITS, EACH SHOWN, NUMBERED AND DESIGNATED ON THE CONDOMINIUM PLAN, SHALL BE A SEPERATE FREEHOLD ESTATE CONSISTING OF THE SPACE BOUNDED BY AND CONTAINED WITHIN THE INTERIOR SURFACES OF THE PERIMETER WALLS, FLOORS, ROOFS, WINDOWS, AND DOORS OF EACH APARTMENT. IN INTERPRETING DEEDS, DECLARATIONS AND PLANS, THE EXISTING PHYSICAL BOUNDARIES OF THE UNIT OR A UNIT CONSTRUCTED IN SUBSTANTIAL ACCORDANCE WITH THE ORIGINAL PLANS, THEREOF SHALL BE CONCLUSIVELY PRESUMED TO BE ITS BOUNDARIES RATHER THAN THE DESCRIPTION EXPRESSED IN THE DEED, PLAN OR DECLARATION, REGARDLESS OF SETTLING OR LATERAL MOVEMENT OF THE BUILDING AND REGARDLESS OF MINOR VARIANCES BETWEEN BOUNDARIES AS SHOWN ON THE PLAN OR IN THE DEED AND THIS DECLARATION AND THOSE OF THE BUILDINGS AS CONSTRUCTED.
3. "UNIT OWNER" OR "OWNER" SHALL MEAN THE PERSON OR PERSONS HOLDING TITLE IN FEE TO A UNIT, INCLUDING DECLARANT, AS LONG AS ANY CONDOMINIUMS REMAIN UNSOLD, BUT EXCLUDING ANY MORTGAGEE OR ANY BENEFICIARY OR TRUSTEE UNDER A DEED OF TRUST.
4. "PROJECT" SHALL MEAN THE ENTIRE PROPERTY DIVIDED INTO CONDOMINIUMS, OR TO BE DIVIDED INTO CONDOMINIUMS, INCLUDING ALL STRUCTURES THEREON, THE COMMON AREAS AND THE UNITS WITHIN THE PROPERTY.
5. "COMMON AREA" SHALL MEAN AND INCLUDE ALL AREAS ON THE PROPERTY EXCEPT THE UNITS AND SHALL FURTHER INCLUDE FOR MAINTENANCE PURPOSES OF THE ASSOCIATION, BUT NOT BY WAY OF FEE TITLE, ALL GAS, WATER AND WASTE PIPES, ALL SEWERS, ALL CONDUITS, WIRES AND OTHER UTILITY INSTALLATIONS WHEREVER LOCATED (EXCEPT THE OUTLETS THEREOF WHEN LOCATED WITHIN THE UNITS), THE LOT UPON WHICH THE STRUCTURES ARE LOCATED AND THE AIRSPACE ABOVE THE STRUCTURES, ALL BEARING WALLS, COLUMNS, FLOORS, THE ROOF, SLAB, FOUNDATION, PARKING SPACES, LANDSCAPING AND RECREATIONAL FACILITIES.
6. "CONDOMINIUM PLAN" SHALL MEAN THE ENGINEERING, DRAWINGS, AND RELATED MATERIALS RECORDED PURSUANT TO CALIFORNIA CIVIL CODE SECTION 1351 SHOWING DIAGRAMMATIC FLOOR PLANS OF THE UNITS, THE BOUNDARIES OF THE UNITS, THE COMMON AREAS AND, WHERE APPLICABLE, DIMENSIONS, AND INFORMATION REASONABLY NECESSARY TO IDENTIFY A CONDOMINIUM.
7. "DECK" SHALL MEAN THAT PORTION OF A UNIT DESIGNED FOR USE AS A DECK AND IS IDENTIFIED ON THE CONDOMINIUM PLAN.

SHEET INDEX

SHEET NO.	DESCRIPTION
1.	SIGNATURE SHEET
2.	NOTES AND DEFINITIONS AND SHEET INDEX
3.	TRACT MAP
4.	LOWER UNIT PLOT PLAN
5.	UPPER UNIT PLOT PLAN
6.	FLOOR PLANS - UNIT STYLE A
7.	FLOOR PLANS - UNIT STYLE B
8.	FLOOR PLANS - UNIT STYLE C
9.	FLOOR PLANS - UNIT STYLE D
10, 11, 12.	SECTIONS
13.	TABLE OF ELEVATIONS

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